

**Testimony of Civil War Preservation Trust President James Lighthizer  
Before the House Government Reform Subcommittee on Criminal Justice, Drug Policy  
and Human Resources**

***Monday, March 14, 2005  
Congressional Field Hearing, Gettysburg, Pennsylvania***

Mr. Chairman and members of the subcommittee. Thank you for the opportunity to speak to you today. My name is James Lighthizer, and I am president of the Civil War Preservation Trust (CWPT), a 70,000-member nonprofit organization dedicated to preserving America's remaining Civil War battlefields.

I come before you today to state our views on the future of America's Civil War battlefields, particularly those protected at least in part by the National Park Service (NPS). As several speakers on this morning's agenda have already indicated, protecting these national treasures is a matter of the utmost urgency.

The primary mission of the Civil War Preservation Trust is to "buy dirt." To this end, the Civil War Preservation Trust has saved 21,300 acres of hallowed ground in 19 states, including historic parcels right here in beautiful Gettysburg, Pennsylvania. Although the Trust has protected land inside National Park Service boundaries, our principal focus is battlefield properties outside those boundaries.

To understand the modern Civil War battlefield preservation movement, it is helpful to briefly examine its 140-year history. To a large extent, it began right here, when the Commonwealth of Pennsylvania purchased land for a National Cemetery at Gettysburg. In the decades immediately following the Civil War, veterans of Gettysburg and other Civil War conflicts took the lead in acquiring small parcels of land to place monuments – memorials that commemorated their fallen comrades as well as the heroic deeds of their youth.

It was only later, beginning in the 1890s, that the federal government became actively involved, creating national battlefield parks here at Gettysburg, at Chickamauga and Chattanooga in Georgia and Tennessee, and Antietam in Maryland. Later, in the 1920s and 1930s, there was a flurry of federal activity that resulted in the establishment of several additional national battlefield parks.

Although well meaning, these federal efforts to protect battlefield land were woefully inadequate. They were based on the false assumption that most battlefield land would remain agricultural, and that the government only needed to save small parcels where monuments and physical remnants of battlefields were located (this is referred to in National Park Service circles as "the Antietam plan"). The legislative boundaries at many NPS-protected Civil War battlefields are also based on this erroneous assumption. As a result, today thousands of historic acres still remain outside National Park Service boundaries and are extremely vulnerable to development.

For decades, these inadequacies were a ticking time bomb for America's Civil War battlefields. However, it was not until the mid-1980s that it became clear that the bomb was ready to explode. Two high-profile preservation threats – at Manassas and Brandy Station, Virginia – served as a wake up call to both Congress and the preservation community that immediate action was needed if these and other Civil War battle sites were to be preserved.

In particular, it was the impending threat of commercial development on part of the Manassas Battlefield that revealed to Congress the true nature of the threats confronting these hallowed battlegrounds. In order to prevent a shopping mall from being built on 558 acres of historic property known as "Stuart's Hill," Congress voted to condemn the land and turn it over to Manassas National Battlefield Park. As a result, land that originally cost the developer \$2 million wound up costing the federal government an estimated \$123 million. Clearly, there was an urgent need to find a more cost effective method of preserving battlefield land.

In 1990, Congress addressed this need by establishing the Civil War Sites Advisory Commission (CWSAC), a blue-ribbon panel that was given the task of identifying the most important Civil War battlefields, determining the threats to those sites, and proposing fiscally responsible methods to protect them. In 1993, the Commission released the results of its work in a report that identified 383 Civil War "priority" battlefields considered worthy of preservation. The Commission also recommended that Congress establish a \$10 million a year "emergency" matching grants program for battlefield land outside National Park Service boundaries.

Although it took it Congress another five years to act upon CWSAC's recommendations, it is this "emergency" funding program that has evolved into the most effective mechanism for protecting battlefield land outside National Park Service boundaries. In FY 1999, Congress first funded what has become the Civil War Battlefield Preservation Program in the amount of \$8 million available for a period of three years. In 2002, Congress enacted the Civil War Battlefield Preservation Act, officially authorizing the matching grants program recommended by CWSAC in 1993. To date, Congress has appropriated \$26 million for the program.

The success of the Civil War Battlefield Preservation Program has been remarkable. More than 13,000 acres of battlefield land outside NPS boundaries have been acquired from willing sellers as a result of the program. To date, of the \$26 million appropriated by Congress, \$20 million has been obligated. This means the average cost per acre to the federal government is just \$1,538. This compares very favorably with the previously mentioned land condemnation at Manassas, which cost the federal government \$220,000 per acre.

Because sites are identified in the 1993 CWSAC report, the program is one of the few federal land acquisition programs that has a list of measurable, priority sites. In addition, the program requires a non-federal match, which promotes state, local, and private sector investment in battlefield preservation. The Civil War Preservation Trust is the principal nonprofit advocate for this program, as well as the primary nonprofit source of non-federal matching funds.

In addition, the Civil War Preservation Trust utilizes two other federal matching grants programs for battlefield preservation: the Transportation Enhancement Program and the Farm and Ranchland Protection Program.

The Transportation Enhancement (TE) program provides matching grants to state and local governments from automatically available funding. The program offers a 20 percent non-federal match, and can be used for both fee simple purchases and conservation easements. The TE program was first authorized in 1991 as part of the Intermodal Surface Transportation Efficiency Act (ISTEA), and then again in 1998 as part of the Transportation Equity Act for the 21st Century (TEA-21). Ten states currently use the TE program for battlefield preservation. Nearly \$20 million in TE grants has been allocated for Civil War battlefield preservation since 1992.

Farm and Ranchland Protection Program (FRPP) comprises matching grants from automatically available federal funding. FRPP requires at least a 50 percent non-federal match for permanent conservation easements. This program was first authorized in 1996 to provide federal financial assistance in the form of matching grants to keep working farms in existence. When the program was reauthorized as part of the 2002 Farm Bill, it included a new provision encouraging the preservation of historically important farmland. The 2002 Farm Bill also significantly increased the amount of grant money available (at total of \$985 million over 10 years). Since 2002, \$1.3 million in FRPP grants has been awarded to save 1,343 acres of Civil War battlefield farmland in five states. Among those sites are two associated with the Gettysburg Campaign: East Cavalry Field, which is partially protected by the National Park Service, and nearby Fairfield Battlefield, where two Medals of Honor were awarded to Union troopers.

However, these effective and important federal programs cannot keep up with the growing threats to Civil War battlefields, both inside and outside National Park Service boundaries. Just a few weeks ago, the Civil War Preservation Trust released *History Under Siege*, our annual report on America's most endangered battlefields. The report identified 25 battlefields currently threatened by development, among them Manassas National Battlefield and Fredericksburg and Spotsylvania National Military Park in Virginia; Kennesaw Mountain National Battlefield in Georgia; and Wilson's Creek National Battlefield in Missouri. At each one of these battlefields, sprawl is the principal threat to the site's integrity.

The situation at Fredericksburg and Spotsylvania National Military Park is typical of the threats faced by many Civil War national parks. This particular park is responsible for maintaining and interpreting five battlefields: Fredericksburg, Chancellorsville, Salem Church, the Wilderness, and Spotsylvania Court House. These five battlefields are located in Spotsylvania County, one of the fastest growing counties in the nation (the county was ranked 13th in the nation in 2003 and 19th in the nation in 2004). The Salem Church battlefield is all but lost to sprawl.

The Civil War Preservation Trust estimates that at least 1,500 acres of historic properties associated with these battlefields need to be protected in the next 3 to 5 years, or they will be lost forever. This is blood-soaked ground, which if lost can never be replaced. However,

because of land values in the region, acquisition of these properties will require \$20 million – a staggering sum. Sadly, similar situations exist at several other Civil War national parks throughout the nation.

It is important to note that battlefield preservation is enormously popular with the public. Recent public opinion polls commissioned by the Civil War Preservation Trust indicate that voters in communities with Civil War battlefields overwhelmingly support preservation of these historic resources. Just last month, surveys in Franklin, Tennessee and Charleston County, South Carolina found that seven out of ten voters support preservation of the Franklin and Morris Island Battlefields (74 percent in Franklin and 71 percent in Charleston County). In both cases, more than 70 percent of Franklin and Charleston residents indicated they would be more likely to support public officials who advocate preservation (71 percent in Franklin and 77 percent in Charleston County).

Part of the reason for this popularity is the growing acknowledgement that Civil War battles have enormous potential as tourist attractions. I like to refer to Civil War battlefields as “low impact economic engines,” because tourists who visit these sites spend money on lodging, gas, food and trinkets, but place little or no demand on local government services or school budgets.

Last fall, the Civil War Preservation Trust released the first of a series of reports on the economic benefits of battlefield preservation. We analyzed seven battlefield parks, including three national battlefield parks: Fredericksburg and Spotsylvania National Military Park in Virginia; Gettysburg National Military Park here in Pennsylvania; and Shiloh National Military Park in Tennessee.

Together, these seven sites generated \$22.4 million in local and state tax revenue and an additional \$156 million in visitor expenditures. These battlefields also supported 3,406 jobs in the surrounding communities. In every case, the vast majority of tourists cited the battlefield as the primary reason for visiting the locality where the battlefield is located.

It should come as no surprise that Gettysburg dominates other Civil War battlefields in generating revenue from tourism. According to our study, the Gettysburg battlefield generates 1.5 million out-of-town visitors annually – and nearly all of them (95 percent) come here because of the battlefield. Each year, these tourists spend \$121 million in the area, generating \$17 million for local government coffers and supporting 2,600 jobs. The Gettysburg Area Chamber of Commerce summed it up best when it stated that “[Gettysburg Battlefield is] truly one of the most important business enterprises in Adams County.”

In conclusion, the plight of America’s Civil War battlefields poses enormous challenges for both the public and private sector. Many communities are anxious to work with nonprofit organizations to save the historic properties in their midst. If Congress can continue to support matching grant programs like the Civil War Battlefield Preservation Program, the Transportation Enhancement Program, and the Farm and Ranchland Protection Program, we may yet be able to save substantial battlefield land still vulnerable to development.

Fully funding the Civil War Battlefield Preservation Program to its authorized amount of \$10 million per year would enable the preservation community to save approximately 3,500 additional acres annually. If Congress fully funds the program, I will personally commit the Civil War Preservation Trust to matching that amount dollar-for-dollar, through a combination of private donations from our members and matching grants from state and local governments.

Mr. Chairman, preserving Civil War battlefields – both inside and outside National Park Service boundaries – is a task that cannot be left to future generations. Time is against us. We must act now.

Thank you for the opportunity to address your committee.